

Notice of Allowability

Application No.

09/972,616

Examiner

Binh-An D. Nguyen

Applicant(s)

KAMINKOW, JOSEPH E.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment files 8/21/07.
2. ☒ The allowed claim(s) is/are 1-24, 26-28, 30-32, 34 and 35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 8/27/07; 9/03/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

The Amendment filed August 21, 2007 has overcome the rejection set forth in the Office action sent March 21, 2007.

This application is in condition for allowance except for the presence of claims 36-43 to the invention nonelected without traverse. Please see Applicant's response to Election/Restriction sent May 24, 2004. Accordingly, claims 36-43 have been canceled herein by the Examiner.

The following is an examiner's statement of reasons for allowance:

While the cited reference of Payne et al. (6,241,607) teaches a multiple payline gaming method and apparatus wherein a multiplicity of independently driven symbol carrying elements are arranged in a non-orthogonal and/or none-rectangular array and are combined with a plurality of individually selectable paylines intersecting various combinations of the elements; and the cited reference of Luciano et al. (2001/0041610) teaches a method and apparatus wherein calculations of full game credits and partial game credits are performed based upon the voucher value and the credit value; Payne et al. and/or Luciano et al., alone or in combination, does not anticipate or make obvious the applicant's claimed limitations of receive a single wager input as a result of a single one of the operations of the input device, the single wager input corresponding to a value of at least one whole credit; activate one of the quantities of the paylines in response to the single wager input; automatically apportion the value on the activated quantity of paylines in response to the single wager input, the apportionment being performed by at least determining a fraction of said value to be wagered on each

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activated payline, at least two of the fractions being different if the value wagered divided by the activated paylines results in a remainder, and for each winning symbol combination that occurs on each activated payline, provide an award to the player based on a multiple of the fraction (or of the apportionment) of the value wagered on said activated payline (as per claims 1, 15, 21, 28, 31, 34)(or method as per claim 34 having steps thereto), in combination with other presented limitations.

Claims 1-24, 26-28, 30-32, 34, and 35, therefore, are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 571-272-4440. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BN



Robert E Pezzuto
Supervisory Patent Examiner
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